

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 18TH DAY OF JUNE 1998

BEFORE

THE HON'BLE MR. JUSTICE H.L.DATTU

WRIT PETITION 3830/1998 & 3844/1998

BETWEEN :

Smt. S. Saroja
w/o. Srinivasaiah,
43 years, No.27/1,
Old Chamarajpet,
Cubbonpet,
Bangalore - 2.

... PETITIONER

(By Sri G.V. Dayananda, Adv.)

AND:

1. The Asst Executive
Engineer (Electrical)
W-5, Sub-division,
KEB, Cubbonpet,
Bangalore-2.
2. The Asst Executive
Engineer (Electrical)
Office of the Chief
Vigilance Officer,
KEB, Cauvery Bhavan,
Bangalore-9,
3. Karnataka Electricity
Board, Cauvery Bhavan,
Bangalore-9, rep. by
its Secretary.

... RESPONDENTS

(By Sri N.K. Gupta, Adv.)

This writ petition is filed under Articles 226 and 227 of the Constitution with a prayer to quash the order dated 29.01.1998 and etc.

This writ petition coming on for ~~maxin~~ orders this day, the Court made the following;

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ORDER

The matter is listed in the orders' list. By consent of learned counsel for the parties to the lis, the matter is taken up for final hearing.

Petitioner is a consumer of electrical energy supplied by the respondent Board. Petitioner is before this court being aggrieved by the demand notice issued by the respondent Board inter alia demanding the petitioner to pay the back billing charges.

In the petition, it is asserted that the respondent Board could not have issued the impugned back billing charges without a show cause notice to the petitioner.

This court while entertaining the writ petition by its order dated 4.2.1998 had directed the respondent to reconnect the supply of electricity to the petitioner's electrical installation subject to the petitioner depositing a sum of Rs.20,000/- in W.P.3835/98 and a sum of Rs.10,000/in W.P.3844/98.

This court has also observed that the respondent Board may examine the objections that has been filed by the petitioner to the back billing charges and pass appropriate orders within two months from the date of the order.

Now that the petitioner has already filed the objections to the back billing charges, it is but proper for the respondent Board to pass appropriate orders as directed by this court by its order dated 4.2.98. Till that time, respondent Board shall not resort to any coercive method to recover the demand made by them

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including disconnection of the electrical energy.

For the reasons stated, petition^s are disposed off. Respondent authority is directed to consider and pass appropriate orders after taking into consideration the objections filed by the petitioner. After framing such order they are at liberty to enforce the demand as provided under the Board's Regulations.

With these observations, petitions are disposed off. Ordered accordingly.

Sd/-
JUDGE

CSG

